



# PLANNING COMMISSION SUMMARY OF ACTIONS

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SMD

January 26, 2006

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PRESENT: Commissioners Alcorn, Byers, de la Fe, Harsel, Hart, Koch, Lawrence, Lusk, Murphy, Wilson

ABSENT: Hall, Hopkins

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The meeting was called to order at 8:17 p.m. by Chairman Peter F. Murphy, Jr.

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## COMMISSION MATTERS

Chairman Murphy reminded Commissioners to return their 2006 Preference Form for Planning Commission Committees this evening.

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Commissioner Alcorn, in the absence of Commissioner Hall, noted that the Policy and Procedures Committee would meet on Wednesday, February 1, 2006, at 7:30 p.m., in the Board Conference Room to discuss the proposed Residential Parking Ordinance.

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Commissioner Lusk announced his intent to defer the public hearing on SE 2005-LE-026, Premier RE Fund 1 LLC, from Wednesday, February 1, 2006 to Wednesday, February 22, 2006.

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Commissioner Lawrence MOVED THAT THE PUBLIC HEARING ON SE 2005-PR-009, SUNRISE ASSISTED LIVING PARTNERSHIP, BE DEFERRED TO A DATE CERTAIN OF MARCH 23, 2006.

Commissioners Byers and Lusk seconded the motion which carried unanimously with Commissioners Hall and Hopkins absent from the meeting.

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FS-V05-40 - OMNIPOINT COMMUNICATIONS CAP OPERATIONS LLC,  
8268T Burning Forest Court

Commissioner Byers MOVED THAT THE PLANNING COMMISSION FIND THAT FS-V05-40 IS IN CONFORMANCE WITH THE RECOMMENDATIONS OF THE COMPREHENSIVE PLAN AND SHOULD BE CONSIDERED A "FEATURE SHOWN" PURSUANT TO THE SECTION 15.2-2232 OF THE *CODE OF VIRGINIA*.

Commissioners Lawrence and Lusk seconded the motion which carried unanimously with Commissioners Hall and Hopkins absent from the meeting.

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Commissioner Lusk MOVED THAT THE PLANNING COMMISSION DEFER THE PUBLIC HEARING ON RZ/FDP 2005-LE-017, CHRISTOPHER MANAGEMENT, INC., TO A DATE CERTAIN OF FEBRUARY 22, 2006.

Commissioners Byers and Lawrence seconded the motion which carried unanimously with Commissioners Hall and Hopkins absent from the meeting.

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PCA 84-L-020-20 - APPLE FEDERAL CREDIT UNION & KOHL'S DEPARTMENT STORES, INC.  
FDPA 84-L-020-02-11 - APPLE FEDERAL CREDIT UNION & KOHL'S DEPARTMENT  
STORES, INC.

(Decision Only - Public hearing held on January 25, 2006)

Commissioner Lusk MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF PCA 84-L-020-20 SUBJECT TO THE EXECUTION OF PROFFERS CONTAINED IN APPENDIX 1 OF THE STAFF REPORT.

Commissioner Lawrence seconded the motion which carried by a vote of 9-0-1 with Commissioner Byers abstaining; Commissioners Hall and Hopkins absent from the meeting.

Commissioner Lusk MOVED THAT THE PLANNING COMMISSION APPROVE FDPA 84-L-020-02-11, SUBJECT TO THE PROPOSED DEVELOPMENT CONDITIONS DATED JANUARY 26, 2006.

Commissioner Lawrence seconded the motion which carried by a vote of 9-0-1 with Commissioner Byers abstaining; Commissioners Hall and Hopkins absent from the meeting.

Commissioner Lusk MOVED THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF A MODIFICATION OF THE TRANSITIONAL SCREENING AND WAIVER OF THE BARRIER REQUIREMENT TO THE EAST.

Commissioner Lawrence seconded the motion which carried by a vote of 9-0-1 with Commissioner Byers abstaining; Commissioners Hall and Hopkins absent from the meeting.

Commissioner Lusk MOVED THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF A VARIANCE IN ACCORDANCE WITH PARAGRAPH 8 OF SECTION 16-401 TO PERMIT A RETAINING WALL LOCATED IN THE FRONT YARD TO BE A HEIGHT GREATER THAN 4 FEET AND A MAXIMUM OF 10 FEET.

Commissioner Lawrence seconded the motion which carried by a vote of 9-0-1 with Commissioner Byers abstaining; Commissioners Hall and Hopkins absent from the meeting.

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ZONING ORDINANCE AMENDMENT (AFFORDABLE DWELLING UNIT ORDINANCE)

(Decision Only - Public hearing held on January 18, 2006)

Commissioner Alcorn MOVED THAT THE PLANNING COMMISSION FORWARD THE PROPOSED ZONING ORDINANCE AMENDMENT ON AFFORDABLE DWELLING UNITS PROGRAM, AS ADVERTISED AND SET FORTH IN THE STAFF REPORT DATED DECEMBER 5, 2005, WITH THE FOLLOWING ADDITIONAL CHANGE TO AMEND THE INTRODUCTION TO PARAGRAPH 1 OF SECTION 2-812, "COVENANT PRICE AND FINANCING CONTROL OF AFFORDABLE DWELLING UNITS" TO READ AS FOLLOWS: "1) EXCEPT AS QUALIFIED BY THIS SECTION, SUBSEQUENT PRICE CONTROL OF AFFORDABLE DWELLING UNITS SHALL BE AS FOLLOWS..."

Commissioners de la Fe and Lusk seconded the motion which carried by a vote of 9-0-1 with Commissioner Byers abstaining; Commissioners Hall and Hopkins absent from the meeting.

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SE 2005-SU-007 - KOREAN CENTRAL PRESBYTERIAN CHURCH TRUSTEES

(Decision Only - Public hearing held on January 12, 2006)

Commissioner Koch MOVED THAT THE COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF SE 2005-SU-007, SUBJECT TO THE DEVELOPMENT CONDITIONS CONSISTENT WITH THOSE DATED JANUARY 25, 2006, WITH THE FOLLOWING CHANGES:

MODIFY CONDITION NUMBER 5 TO LIMIT THE MAXIMUM NUMBER OF SEATS IN THE MAIN WORSHIP AREA TO 1,700 AND THE MAXIMUM NUMBER OF SEATS IN THE CHAPEL TO 400;

MODIFY THE FIRST SENTENCE OF CONDITION 41 TO READ "PARKING SHALL BE PROVIDED AS SHOWN ON THE SE PLAT, EXCEPT THAT THE MAXIMUM OF 825 PAVED PARKING SPACES SHALL BE CONSTRUCTED; AND

DELETE CONDITION NUMBER 40.

Commissioners Byers and Lusk seconded the motion which carried by a vote of 6-2-2 with Commissioners Hart and Wilson voting no; Commissioners Alcorn and Harsel abstaining; Commissioners Hall and Hopkins absent from the meeting.

Commissioner Koch MOVED THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF A MODIFICATION OF THE TRANSITIONAL SCREENING ON ALL SIDES TO ALLOW EXISTING VEGETATION TO BE UTILIZED.

Commissioners Byers and Lusk seconded the motion which carried by a vote of 6-2-2 with Commissioners Hart and Wilson voting no; Commissioners Alcorn and Harsel abstaining; Commissioners Hall and Hopkins absent from the meeting.

Commissioner Koch MOVED THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF A WAIVER OF THE BARRIER REQUIREMENT ON ALL SIDES EXCEPT FOR AROUND UNCONSOLIDATED PARCEL 17 AND THE NORTH PORTION OF THE WESTERN BOUNDARY AS SHOWN ON THE SE PLAT.

Commissioner Byers seconded the motion which carried by a vote of 7-2-1 with Commissioners Hart and Wilson voting no; Commissioner Alcorn abstaining; Commissioners Hall and Hopkins absent from the meeting.

Commissioner Koch MOVED THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF A WAIVER OF CONSTRUCTION ONLY OF THE SERVICE DRIVE ALONG ROUTE 29.

Commissioners Byers and Lusk seconded the motion which carried by a vote of 6-2-2 with Commissioners Hart and Wilson voting no; Commissioners Alcorn and Harsel abstaining; Commissioners Hall and Hopkins absent from the meeting.

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PUBLIC FACILITIES MANUAL & ZONING ORDINANCE AMENDMENTS (NATURAL DRAINAGE DIVIDES, ADEQUATE OUTFALL, AND NOTIFICATION REQUIREMENTS)

(Decision Only - Public hearing held on December 8, 2005 and January 19, 2006)

Commissioner Wilson MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT IT ADOPT THE AMENDMENTS TO THE PUBLIC FACILITIES MANUAL FOR STORMWATER OUTFALL REQUIREMENTS, AS STATED IN THE STAFF REPORT DATED NOVEMBER 21, 2005, INCLUDING THE PLATES ATTACHED THERETO BUT WITH THE REVISIONS SHOWN IN BOLD FOR ADDITIONS AND DOUBLE STRIKEOUT FOR DELETIONS, CONTAINED IN PC ATTACHMENT I DATED JANUARY 26, 2006, AND DESIGNATED "COMMISSIONER WILSON REVISION 01/26/06" HANDED OUT TONIGHT.

Commissioner Lawrence seconded the motion which carried by a vote of 9-0-1 with Commissioner Byers abstaining; Commissioners Hall and Hopkins absent from the meeting.

Commissioner Wilson MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT IT ADOPT THE AMENDMENT TO THE PUBLIC FACILITIES MANUAL REGARDING NATURAL DRAINAGE DIVIDES, AS STATED IN THE STAFF REPORT ADDENDUM DATED SEPTEMBER 28, 2005, BUT WITH THE REVISIONS SHOWN IN BOLD FOR ADDITIONS AND DOUBLE STRIKEOUT FOR DELETIONS, CONTAINED IN PC ATTACHMENT II DATED JANUARY 26, 2006 AND DESIGNATED "COMMISSIONER WILSON REVISION 01/26/06," AND THAT THE BOARD ADOPT OPTION 1 OF SUCH AMENDMENT.

Commissioners Alcorn and Lawrence seconded the motion which carried by a vote of 9-0-1 with Commissioner Byers abstaining; Commissioners Hall and Hopkins absent from the meeting.

Commissioner Wilson FURTHER MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT THE AMENDMENTS TO THE PFM FOR STORMWATER OUTFALL REQUIREMENTS AND NATURAL DRAINAGE DIVIDES BECOME EFFECTIVE AT 12:01 A.M., FEBRUARY 7, 2006, OR SUCH DATE AS THE BOARD APPROVES THESE AMENDMENTS, AND THAT THE FOLLOWING PLANS SHALL BE GRANDFATHERED: SUBDIVISION PLANS (EXCLUDING PRELIMINARY PLATS), SITE PLANS, MINOR SITE

PLANS, PUBLIC IMPROVEMENT PLANS, AND GRADING PLANS, SUBMITTED PRIOR TO 12:01 A.M., FEBRUARY 7, 2006, OR THE DATE AS APPROVED BY THE BOARD, PROVIDED THAT SUCH PLAN OBTAINS FINAL APPROVAL NO LATER THAN CLOSE OF BUSINESS JUNE 7, 2006.

Commissioners Alcorn and Lawrence seconded the motion which carried by a vote of 9-0-1 with Commissioner Byers abstaining; Commissioners Hall and Hopkins absent from the meeting.

Commissioner Wilson FURTHER MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT IT DIRECT DPWES STAFF TO INVESTIGATE THE NEED FOR, AND THEN PREPARE, A SET OF DEFINITIONS FOR SIGNIFICANT TERMS AND PHRASES USED THROUGHOUT CHAPTER 6, "STORM DRAINAGE," OF THE PFM, THAT CAN BE CIRCULATED TO VARIOUS INTEREST GROUPS FOR INPUT AND COMMENT, PRIOR TO SUBMISSION TO THE BOARD FOR AUTHORIZATION AND ADVERTISEMENT.

Commissioners Alcorn and Lawrence seconded the motion which carried unanimously; Commissioners Hall and Hopkins absent from the meeting.

Commissioner Wilson MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT IT ADOPT THE AMENDMENTS TO THE SUBDIVISION ORDINANCE REGARDING NOTIFICATION REQUIREMENTS FOR SUBDIVISION PLANS, AS STATED IN THE STAFF REPORT DATED NOVEMBER 21, 2005, BUT WITH THE REVISIONS SHOWN IN BOLD FOR ADDITIONS AND DOUBLE STRIKEOUT FOR DELETIONS, CONTAINED IN PC ATTACHMENT III DATED JANUARY 26, 2006 AND DESIGNATED "COMMISSIONER WILSON REVISION 01/26/06."

Commissioners Alcorn and Lawrence seconded the motion which carried by a vote of 9-0-1 with Commissioner Byers abstaining; Commissioners Hall and Hopkins absent from the meeting.

Commissioner Wilson MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT IT ADOPT THE AMENDMENTS TO ARTICLE 17, SITE PLAN, OF THE ZONING ORDINANCE FOR NOTIFICATION REQUIREMENTS, AS STATED IN THE STAFF REPORT DATED NOVEMBER 21, 2005, BUT WITH THE REVISIONS SHOWN IN BOLD FOR ADDITIONS AND DOUBLE STRIKEOUT FOR DELETIONS, CONTAINED IN PC ATTACHMENT IV DATED JANUARY 26, 2006 AND DESIGNATED "COMMISSIONER WILSON REVISIONS 01/26/06."

Commissioners Alcorn and Lawrence seconded the motion which carried by a vote of 9-0-1 with Commissioner Byers abstaining; Commissioners Hall and Hopkins absent from the meeting.

Commissioner Wilson FURTHER MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT THE AMENDMENTS TO THE SUBDIVISION ORDINANCE AND ZONING ORDINANCE ON NOTIFICATION REQUIREMENTS BECOME EFFECTIVE AT 12:01 A.M., FEBRUARY 7, 2006 OR THE DATE APPROVED BY THE BOARD AND THAT THE FOLLOWING PLANS SHALL BE GRANDFATHERED: SITE PLANS, PUBLIC IMPROVEMENT PLANS, PRELIMINARY SUBDIVISION PLATS, FINAL SUBDIVISION PLATS, WHEN A PRELIMINARY SUBDIVISION PLAT AND A CONSTRUCTION PLAN ARE NOT REQUIRED, AND SUBDIVISION CONSTRUCTION PLANS, WHEN A PRELIMINARY SUBDIVISION PLAT IS NOT REQUIRED, PROVIDED THAT SUCH PLAN COMPLIES FULLY WITH THE NOTIFICATION PROVISIONS IN EFFECT AT THE TIME OF THE MAILING, AND

THE POSTMARK DATE ON ALL WHITE RECEIPTS FOR THE CERTIFIED MAILINGS IS PRIOR TO 12:01 A.M., FEBRUARY 7, 2006.

Commissioners Alcorn and Lawrence seconded the motion which carried by a vote of 9-0-1 with Commissioner Byers abstaining; Commissioners Hall and Hopkins absent from the meeting.

Commissioner Wilson MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT IT DIRECT STAFF TO DEVELOP AND PRESENT TO THE BOARD FOR AUTHORIZATION AND ADVERTISEMENT AMENDMENTS TO: ARTICLE 8 FOR SPECIAL PERMITS; ARTICLE 9 FOR SPECIAL EXCEPTIONS, CLUSTER SUBDIVISIONS, AND USES IN A COMMERCIAL REVITALIZATION DISTRICT; ARTICLE 16 FOR DEVELOPMENT PLANS; AND ARTICLE 18 FOR REZONING APPLICATIONS; MAKING THE SAME CORRESPONDING CHANGES TO THE NOTIFICATION REQUIREMENTS AS ARE BEING RECOMMENDED FOR SITE AND SUBDIVISION PLANS TONIGHT.

Commissioners Alcorn and Lawrence seconded the motion which carried unanimously; Commissioners Hall and Hopkins absent from the meeting.

Commissioner Wilson MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT IT DIRECT STAFF TO INVESTIGATE WAYS THAT THE FILING OF SITE AND SUBDIVISION PLANS MAY BE MORE EXTENSIVELY PUBLICIZED TO THE GENERAL PUBLIC, AND NOT JUST TO RECIPIENTS OF THE LEGAL NOTIFICATIONS, SUCH AS THROUGH THE DEVELOPMENT OF A WEBSITE LISTING ALL SUCH APPLICATIONS FILED, SANDWICH BOARDS PLACED ON THE DEVELOPMENT SITE, OR OTHER MEANS OF COMMUNICATING TO THE PUBLIC THE FACT THAT SUCH PLANS HAVE BEEN FILED AND ARE UNDER REVIEW BY DPWES.

Commissioners Alcorn and Lawrence seconded the motion which carried unanimously; Commissioners Hall and Hopkins absent from the meeting.

Commissioner Alcorn MOVED THAT FOR ANY OF THE ITEMS THUS RECOMMENDED BY THE PLANNING COMMISSION TO THE BOARD, IF ANY OF THOSE ITEMS BE FOUND BY THE BOARD OF SUPERVISORS TO BE OUTSIDE OF THE SCOPE, THAT THOSE ITEMS BE MOVED FOR RE-ADVERTISEMENT UNDER A NEW PUBLIC HEARING PROCESS.

Commissioners Hart, Lawrence, Wilson seconded the motion which carried unanimously; Commissioners Hall and Hopkins absent from the meeting.

Commissioner Lawrence MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT IT DIRECT STAFF TO ENSURE THAT STORMWATER MANAGEMENT AND WATERSHED MANAGEMENT ARE CLOSELY COORDINATED IN FAIRFAX COUNTY.

Commissioners Alcorn and Wilson seconded the motion which carried unanimously; Commissioners Hall and Hopkins absent from the meeting.

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ZONING ORDINANCE AMENDMENT (PHOTOGRAPHIC SUBMISSIONS)

Commissioner Hart MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT THE PROPOSED SPECIAL EXCEPTION AND SPECIAL PERMIT PHOTOGRAPHIC SUBMISSION REQUIREMENTS BE ADOPTED AS ADVERTISED AND I FURTHER MOVE THAT WE RECOMMEND THAT THE AMENDMENT ONLY BE EFFECTIVE FOR THOSE SPECIAL PERMIT AND SPECIAL EXCEPTION APPLICATIONS THAT WERE SUBMITTED ON OR AFTER THE EFFECTIVE DATE OF THE AMENDMENT.

Commissioner Byers seconded the motion which carried unanimously with Commissioner Wilson not present for the vote; Commissioners Hall and Hopkins absent from the meeting.

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2232-B05-23 - NEW CINGULAR WIRELESS, OMNIPOINT COMMUNICATIONS, AND MILESTONE COMMUNICATIONS

Commissioner Harsel MOVED THAT IN THE CASE OF 2232-B05-23, THE PLANNING COMMISSION DEFER DECISION UNTIL WEDNESDAY, FEBRUARY 1, 2006 WITH THE RECORD TO REMAIN OPEN FOR COMMENT.

Commissioner Byers seconded the motion which carried unanimously with Commissioners Hall and Hopkins absent from the meeting.

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S04-III-FC2 - OUT-OF-TURN PLAN AMENDMENT (Springfield District)

Commissioner Murphy MOVED THAT THE PLANNING COMMISSION DEFER DECISION ONLY ON OUT-OF-TURN PLAN AMENDMENT S04-III-FC2 TO A DATE CERTAIN OF FEBRUARY 22, 2006 WITH THE RECORD REMAINING OPEN FOR COMMENT.

Commissioner Koch seconded the motion which carried unanimously with Commissioners Alcorn and Harsel not present for the vote; Commissioners Hall and Hopkins absent from the meeting.

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The meeting was adjourned at 10:25 p.m.  
Peter F. Murphy, Jr., Chairman